

2005 REGULAR SESSION INFORMATION BULLETIN

<p>(1)(a) Subject Matter (Const. Art. III, §2(A)(4))</p> <p>(b) Exceptions</p> <p>(i) 5 bills not within subject matter</p> <p>(ii) Local & Special bills - unlimited (Const. Art. III, §13 and Art. III, §12)</p>	<p>Limited to measures to enact a general appropriation bill; enact the comprehensive capital budget; make an appropriation; levy or authorize a new tax; increase an existing tax; levy, authorize, increase, decrease, or repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits; or legislate with regard to the issuance of bonds.</p> <p>Each member may PREFILE up to, but not more than, 5 bills whose subject matter is outside the limitations of this session. (See information on prefiling under (5) below.)</p> <p>Each member may prefile an unlimited number of local or special bills (those which are required to be and have been advertised) and may introduce up to five such bills that have not been prefiled.</p> <p>No member may introduce more than five bills which have not been prefiled. (See (5) below). This limitation applies to bills which are within the subject matter limits of this session and to local or special bills.</p>
<p>(2) Convening and Final Adjournment (Const. Art. III, §2(A)(4))</p>	<p>Convenes Noon, Monday, April 25, 2005; adjourns not later than 6:00 p.m. on Thursday, June 23, 2005</p>
<p>(3) Length of Session (Const. Art. III, §2(A)(4))</p>	<p>Maximum 45 legislative days during a 60 calendar day</p>
<p>(4) Constitutional Amendments (Const. Art. XIII, §1(A))</p>	<p>Must be PREFILED not later than Thursday, April 14. (House computes in hours and will accept until noon Friday, April 15.) <i>See Note 1 below.</i></p>
<p>(5) Bills (Const. Art. III, §2(A)(2) and (4))</p> <p>See Joint Rules for exceptions. (JR 18)</p>	<p>Must be PREFILED not later than 5:00 p.m., Friday, April 15. After this time, a member may introduce no more than five additional bills not later than 6:00 p.m., Wednesday, May 4 for House bills and Midnight,</p>
<p>(6) Advertisement of local and retirement bills (Const. Art. III, §13 and Art. X, §29(C))</p>	<p>Publication on two separate days at least 30 days prior to introduction. <i>See Note 3 below.</i></p>
<p>(7) Compensation notices Sheriffs (R.S. 33:1421(E)) School Board members (R.S. 17:56(D)) Registrar of Voters and confidential assistants (R.S. 18:55(B) and 59(D))</p>	<p>Publication on two separate days at least 30 days prior to introduction. <i>See Note 3 below.</i></p>
<p>(8) (a) Assessor's salary or other emolument notice (R.S. 47:1907.1) (b) Assessor's expense allowance notice (R.S. 47:1908(D))</p>	<p>Publication on two separate days at least 30 days prior to introduction. <i>See Note 3 on reverse side.</i></p> <p>Last day to mail notice to school board and governing authority of each affected parish - April 14. <i>See note 3 on reverse side.</i></p>
<p>(9) Deadline for 3rd Reading/Final Passage (Const. Art. III, §2(A)(4))</p>	<p>6:00 p.m. of the 42nd legislative day or the 57th calendar day, whichever occurs first. (Thereafter, if authorized by 2/3 vote of both houses.)</p>
<p>(10) Effective date of Acts</p> <p>(a) Statutes (Const. Art. III, §19) (b) Constitutional Amendments (Const. Art. XIII, §1(C))</p>	<p>August 15, 2005, unless bill otherwise specifically provides.</p> <p>20 days after governor's proclamation of the election results by which adopted, unless amendment otherwise specifically provides.</p>

CONSTITUTIONAL OR STATUTORY REQUIREMENTS WITH RESPECT TO DATES AND LEGISLATIVE INSTRUMENTS

1. **CONSTITUTIONAL AMENDMENTS:** Must be PREFILED at least 10 days before session begins. Ten full days before the session falls on Thursday, April 14, 2005. House will accept until 12:00 noon on Friday, April 15, 2005 (Const. Art. XIII, §1(A)).
2. **DEADLINES FOR PREFILING AND INTRODUCTION OF BILLS (Regular Session):**
 - (a) Bills must be prefiled not later than 5:00 p.m., Friday, April 15 (Const. Art. III, §2(A)(2)).
 - (b) A member may introduce no more than five bills which were not prefiled. They must be introduced not later than Wednesday, May 4 (Const. Art. III, §2(A)(4)). Late introductions are not permitted. Joint Rule No. 18 provides that the following bills are not subject to the five-bill limit: general appropriation bill, judicial branch appropriation, legislative branch appropriation, capital outlay bill, omnibus bond authorization bill, supplemental appropriation bill, revenue sharing bill, and ancillary funds bill.

Senate Bills will be accepted for prefiling on or before Friday, April 15th if the Senate receives proof that local notice has been published and that 30 days after the last publication date will expire prior to the first day for introduction of bills (April 25th).

House Bills will be accepted for prefiling on or before Friday, April 15th if the House receives proof that local notice has been published and that 30 days after the last publication date will expire prior to the last day introduction of bills (June 4th).

3. NOTICE OF INTENTION TO INTRODUCE CERTAIN KINDS OF BILLS:

- (a) **LOCAL BILLS:** Notice MUST be published on TWO separate days AT LEAST 30 DAYS BEFORE INTRODUCTION, without cost to the state, in the official journal of the locality. Publication need not be on consecutive days, but must be on two separate days. Last two days to advertise in 2005 are March 24 and 25, for introduction on the first day of session (If NOT introduced on the first day, dates are April 2 and 3.) *Newspaper publication days and other newspaper deadlines may require earlier submission to paper. Note particularly that April 2 and 3 fall on a weekend and some newspapers do not publish on weekends.* Notice must state substance of the bill and bill MUST recite that notice was published. At author's instruction staff will send notice to newspaper and obtain certification of publication to attach to the bill. The newspaper will bill publication charges directly to the author or person specified by author. If advertisement is handled locally, author should obtain certification from newspaper and transmit to the Clerk of the House or the Secretary of the Senate. (Const. Art. III, §13)
- (b) **RETIREMENT BILLS:** Handled in same manner as local bills (see Paragraph (a) above), except notice must be published in official state journal (*Baton Rouge Advocate*). Due to publication days of *Advocate*, notice must be submitted to the paper by 4:00 p.m. Friday, March 18 (4:00 p.m. Monday, March 28, if NOT introduced on the first day of session). The author or person the author specifies will be billed directly by the *Advocate* for publication charges. If bill affects only a city or other strictly local retirement system, LOCAL NOTICE also is necessary, as set forth in Paragraph (a) above. (Const. Art. X, §29(C))

In the Senate, the last two publication days to introduce a **retirement bill which is also a constitutional amendment** is Saturday, March 12, 2005 and Monday, March 14, 2005. (Const. Art. X, §29(C) and Art. XIII §1(A))

- (c) **ASSESSORS' EXPENSE ALLOWANCE:** R.S. 47:1908(D) prohibits change in the allowance unless notice of intent to do so is sent BY CERTIFIED MAIL BY THE ASSESSOR TO THE SCHOOL BOARD AND PARISH GOVERNING AUTHORITY AFFECTED, stating the amount of the change. Notice must be sent at least 10 days prior to the CONVENING of the legislative session. Evidence of notice must be exhibited to the legislature before passage of the bill. Bill must recite that notice was given. Last day to give notice in 2005 is Thursday, April 14. Author should obtain evidence of notice from assessor.
- (d) **ASSESSORS' COMPENSATION (R.S. 47:1907.1) SHERIFFS' COMPENSATION, (R.S. 33:1421(E)), SCHOOL BOARD MEMBERS' COMPENSATION (R.S. 17:56(D)), AND PARISH PORTION OF REGISTRARS' OF VOTERS COMPENSATION (R.S. 18:55(B) AND 59(D)):** The Sections cited prohibit introduction of a bill to change the compensation of an assessor, sheriff, and school board member, and the parish portion of the salary of a registrar of voters or a chief deputy registrar or a confidential assistant to a registrar unless notice has been published on two separate days at least 30 days before introduction, without cost to the state, in the official journal of the parish. If all assessors, sheriffs, or school board members (but not registrars of voters or their chief deputies or assistants) in the state are affected, then notice must also be published on two separate days at least 30 days before introduction without cost to the state in the official state journal (*Baton Rouge Advocate*). The notice (except registrars and their chief deputies or assistants) must state the amount of the change. The bill (except registrars, their chief deputies, or assistants) must recite that notice has been given, and certification of such publication must be attached to the bill. If advertisement is handled locally, author should obtain certification and transmit to Clerk or staff. If the author wishes, staff will send notice to newspaper and obtain certification of publication for attachment to the bill. The newspaper will bill publication charges directly to the author or person the author specifies.

4. PREFILING OF BILLS AND RESOLUTIONS:

(a) HOUSE

Bills, joint resolutions (constitutional amendments), and simple or concurrent resolutions may be prefiled with the Clerk of the House at any time between regular sessions for introduction at either of the next two regular sessions. (No bills may be prefiled for the regular session after a general election for legislators until after promulgation of the election returns and no bills may be prefiled for any session between the convening of the last regular session prior to the general election for legislators and promulgation of the election returns.) House research staff will transmit legislative instruments to the Clerk of the House for prefiling upon direction of the author. Such direction need not be in writing. The Clerk numbers them in order in which received and reproduces them for distribution to members, news media, and others. The

Speaker refers prefiled instruments to committee and notifies author. Referrals of bills prefiled prior to one week before the session convenes are entered in the Interim Calendar. Within five days after publication of referral in the Interim Calendar, any member may notify the Speaker IN WRITING of his objection to the committee referral, stating reasons. House and Governmental Affairs Committee then determines the committee to which the bill will be referred. Standing committees may hold presession hearings on prefiled instruments. (House Rule 7.2)

SENATE

All legislative instruments must be finally prepared by Senate staff prior to its introduction in the Senate. The staff will draft, or receive, and transmit legislative instruments to Senate Secretary for prefiling, upon written direction of author. Legislative instruments may be prefiled with the Senate Secretary at any time. The Senate Secretary numbers the bills in order in which received (but only with written direction of author to prefile) and reproduces them for distribution to each member, news media, and others. If received by secretary prior to three weeks before a session, the President refers the instrument to committee and notifies author. Within 10 days after publication of referral in Interim Calendar, any member may notify the President in writing of his objection to the committee referral, stating reasons. The President may reconsider the referral and may refer the bill to another committee. Standing committees may hold pre-session hearings. (Senate Rules 9.1-9.9)

- (b) Interim Calendars are mailed to members by respective houses under their rules. Prefiled bills are mailed to members upon request. (House Rule 12.7 and Senate Rule 14.7)
- 5. **FISCAL NOTES:** Every bill, joint resolution, and simple or concurrent resolution affecting the receipt, expenditure, or allocation of funds of the state or of a political subdivision, or which would authorize issuance of general obligation bonds or other general obligations of the state for capital outlay, must have attached to it, prior to committee consideration, a fiscal note giving a reliable estimate of the fiscal effect of the measure. House rules also require fiscal notes for consideration of such instruments on final passage. The author of a bill is responsible for obtaining fiscal note from legislative fiscal officer. Staff will request fiscal note on behalf of author upon request. When author receives bill draft from staff with memo that bill may require fiscal note, author returns form instructing Clerk to request or not to request fiscal note. Instructions received within seven days will be followed until prefiling or introduction. If no response is made within seven days, Clerk will order a fiscal note if he decides one is required. In addition, the chairman of the committee to which the measure is referred may request a fiscal note immediately upon referral of the measure and the House Clerk may request a fiscal note upon prefiling or introduction of the measure. A measure requiring a fiscal note which is reported by a House committee without a fiscal note must be returned to the calendar and the Clerk must request a fiscal note. The Clerk determines the need for a fiscal note, upon recommendation of House Legislative Services staff. (Joint Rule 4, House Rule 7.16, and Senate Rule 7.14)
- 6. **ACTUARIAL NOTES:** Every bill, joint resolution, and simple or concurrent resolution proposing a change in the law as to any state, municipal, or parochial retirement system funded in whole or part from public funds must have an actuarial note attached to it at the time of committee consideration. Legislative Actuary prepares actuarial notes (R.S. 24:521). The staff will request actuarial note on behalf of author. Procedure is similar to fiscal notes.
- 7. **APPROPRIATIONS TO PAY JUDGMENTS AGAINST STATE:** Appropriations Committee requires a certified copy of final judgment and proof of finality of judgment before any committee action on any such bill.